



Town of Carlisle

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Office of

PLANNING BOARD

MINUTES

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MINUTES

June 28, 2004

Associate Board Member

Minutes

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Summer Intern

Public Hearing for request for removal of about twenty feet of stone wall, on a Scenic Road adjacent to 875 West Street (there is no address as yet)

Russell Street ANR Plan

Public Hearing for request for Common Driveway Special Permit, parcels adjacent to 186 Rutland Street, Map 25, Parcels 1A and 1B, Richard Blanchard, applicant

Review of Revised Site Plan for alteration of porch and handicapped access to Fern's Country Store, 8 Lowell Street, Map 22, Lot 43, to prepare recommendations to the Board of Selectmen in accordance with Sec. 7.6 of the Zoning Bylaws (submitted by Larry Bearfield)

Discussion of proposed Rules and Regulations Governing Scenic Roads

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Arrange time to meet fire chief

Chair Louise Hara called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board members Ray Bahr, Rich Boulé, David Freedman, Kent Gonzales, Peter Stuart, and Phyllis Zinicola, were present, along with Associate Planning Board member Tom Lane. Planning Administrator George Mansfield and Temporary Administrative Assistant Helen Boos were also present.

Minutes

The minutes of 6/14/04 were reviewed. Freedman **moved to approve the minutes of June 14, 2004.** Boulé seconded the motion and it carried 7-0.

Budget

The final bill from Applied Geographics, \$1,185 for the development of a GIS parcel data layer, was approved to be paid; the final product on this contract had been delivered on Friday, 6/25/04.

Another bill was approved to encumber FY04 funds to maintain the computer systems that will support GIS. Boulé asked if the PB is required to request bids for these services; The PA said bidding is not required for amounts under \$600.

Summer Intern

The PA summarized the status of summer intern position: Bahr, Hara, and The PA had interviewed 3 people and chosen Janice Bernsee, who had ten years experience in developing GIS in the public sector working for the regional

transportation planning staff in Boston and assigned to Mass Highway to plot roadways on GIS, which is one of the PB's biggest goals for the summer. Janice Bernsee started June 28, 2004.

Public Hearing for request for removal of about twenty feet of stone wall, on a Scenic Road adjacent to 875 West Street (there is no address as yet)

George Dimakarakos of Stamski and McNary presented this plan on behalf of the applicant.

Dimakarakos explained that, as West Street is a scenic road, there needs to be a public hearing in which this Board can grant permission or not. The entire front of this property has stone wall, and the applicant wishes to remove a minimum of wall to allow a driveway to the new property. He said that the wall at this location is not substantial, and there is no alternative. Applicant is hoping to get permission at this meeting so that he can close on the property next week. Mansfield noted that if the board gives consent, there needs to be a written letter of approval. Dimakarakos said he is not authorized to accept any significant conditions.

Discussion ensued regarding an earlier removal of a portion of the stone wall, made to allow access to a wellhead seventy-five feet north of proposed driveway. The portion of stone wall removed to allow this access road did not need PB approval because it was a temporary cut, required to be replaced within 30-days of removal, which it was (although a bulldozer parked behind the wall prompted questions of how it will be able to leave the area without breaking through the stone wall again). The access road itself is apparently not intended to be maintained; however, the gravel remains. PB members noted that having foot-deep hardpacked gravel on either side of the wall presents an eyesore and inhibits regrowth of vegetation, adding that the stones used to replace the wall are not old, natural-looking stones characteristic of traditional stone walls, and citing one uncharacteristically large stone. Technically, the same stones should have been used to replace the wall; whereas it appears that new stones were used. Board members emphasized that the current wall does not conform to the intentions of the Scenic Roads Act.

Freedman **moved to approve the removal of approximately fourteen feet of stone to allow for a new access driveway to the proposed house under the condition that those specific stones be used to replace the stone wall that was taken down to build the access road to the wellhead, under the further condition that a minimum of the first fifteen feet of gravel road that was created to get to the wellhead be removed and sufficient loam be put in place to allow natural regrowth to occur.** Zinicola seconded the motion and it carried 7-0.

Russell Street ANR Plan

The applicant wants to divide a 6.89-acre lot at the intersection of Bellows Hill Road and School Street into two building lots: a standard lot on which the existing house remains, and a 4.88-acre pork chop lot. Bylaw states that there cannot be more than two pork chop lots in a row. Mansfield noted that an ANR does not necessarily have to show where the driveway is, but it does have to show where the ellipse is. There are no issues with the existing cart path. Based on existing records, there are no easements on the lot. According to the engineer, the lot lines do not follow existing stone walls because the owner wanted the house to be built within the lot shape circle.

Freedman **moved to endorse the Plan of Land in Carlisle MA, prepared for Ole Nelson by Stamski and McNary, dated June 9, 2004 as Approval Not Required.** Bahr seconded the motion and it carried 7-0.

Public Hearing for request for Common Driveway Special Permit, parcels adjacent to 186 Rutland Street, Map 25, Parcels 1A and 1B, Richard Blanchard, applicant

The applicant was present, along with Richard P. Howe of Lowell, MA and George Dimakarakos of Stamski and McNary.

Hara appointed Associate Member Tom Lane for the Public Hearing to act on this application.

Dimakarakos outlined the plan for a common driveway, emphasizing that two, separate driveways would be more intrusive to the landscape by requiring more cutting through steep landscape, exposing more impervious rock surface, which would also create more runoff running close to wetland areas. In addition, one driveway allows better access in

case of emergency. He noted a discrepancy in the plan on whether or not the driveway is proposed to be paved; for the record, he stated that it is.

The PB discussed inconsistencies in public safety requirements. PB members questioned the fire chief's required cul-de-sac in this case, where Y- or T-turnarounds had previously been acceptable; a circle radius of thirty-three feet (to accommodate a large fire truck), where a twenty-five-foot radius had been the previous norm; an eighteen-foot pavement width within the cul-de-sac. The rest of the driveway is proposed to have a twelve-foot pavement width; a two-foot shoulder width; and a maximum grade of 10% for the driveway.

The Planning Administrator outlined the standards in the past according to the PB's Rules and Regulations for a Common Driveway: a twelve-foot-wide pavement and a cul-de-sac at the end, serving as a common driveway for up to six lots, with a minimum circle radius of twenty-five feet, and the required pavement of the road within the circle still just twelve feet. Generally, the town encourages (but does not require) applicants to attend a scoping session prior to an application, which in general includes the PB, Conservation Commission, and the Board of Health, but usually not the Fire and Police Departments. When the application is submitted, the PB submits a copy of the plan to the Police and Fire Departments, and they respond with comments. In this case, the PB did not receive comments, probably because the chief was involved early. The PA stated that the Police chief verbally approved the site distance from the intersection, which is all that is needed. The fire chief also will not respond in writing because he approved the plans that were submitted with the application. The PB discussed its obligation first to its own bylaws, and whether to take the fire chief's requirements as recommendations. The need for a meeting with the fire chief was reiterated in order to find out if, in fact, public safety requirements have changed. There was also discussion about the building inspector's role.

Dick Blanchard, applicant, noted that he would rather have a less intrusive T- or Y- intersection in a less-intrusive location, and noted several other multi-lot common driveways that do not end in a cul-de-sac. Dimakarakos also discussed issues and suggestions brought up by the Land Tech engineers, notably the pitch of the driveway toward the uphill swale (to treat runoff), and questions about culvert capacity. Dimakarakos recommended a downhill pitch of the driveway, stating that the vegetation would be enough to treat the little runoff from the driveway before it reaches the wetlands, and that pitching the driveway uphill creates more problems than it helps because that runoff must then be added to the runoff from the hill and diverted through the culvert under the driveway. He also pointed out that snow plowed into the swale would block runoff and create problems if the driveway slopes into the hill.

Another issue was the suggestion for one twelve-inch culvert as opposed to two eight-inch culverts. Eight-inch culverts were originally proposed because they are smaller. A twelve-inch culvert would raise the driveway, but the engineer can move the culvert further back from the road. Board members questioned the difference in capacity between one twelve-inch culvert and two eight-inch culverts. Dimakarakos said that they are comparable because there is less friction in a twelve-inch culvert to compensate for the decrease in volume, and that there are calculations used to determine the flow exactly. He noted that a twelve-inch culvert is more susceptible to clogging, and also that larger culverts might require more blasting, but that he would do the drainage calculations, re-analyze the issue, determine what is needed, and use the necessary culvert size.

A further suggestion in the Land Tech report is that the PB require a performance bond, which Dimakarakos feels has not been a practice and is not a necessary condition. Mansfield noted that in the past, the PB tied the completion of the driveway according to the approved plans and the submission of As-Built plans with the last occupancy permit; in this case, it would be the second occupancy permit. That means that the building inspector will not sign the occupancy permit until our engineer has signed off that everything is complete. Sometimes that has held up occupancy quite dramatically. He suggested that Dimakarakos give the applicant those alternatives. Dimakarakos didn't think there would be any objection to the latter. Blanchard noted that the first house will be built soon, but it may be several years before the second house is built, but that the common drive would be built with the first house; common practice has been to wait until all construction is complete before laying down the final road, but that it is not possible in this case because final construction will not be completed for several years. It is the PB's concern that the project, once started, be completed and not left half-done for several years.

Hara pointed out that the Conservation Commission asked the PB to keep this hearing open as they are discussing the issue simultaneously.

Freedman moved to continue the public hearing on July 19 at 7:45 p.m. Zinicola seconded the motion and it carried 8-0.

Review of Revised Site Plan for alteration of porch and handicapped access to Fern's Country Store, 8 Lowell Street, Map 22, Lot 43, to prepare recommendations to the Board of Selectmen in accordance with Sec. 7.6 of the Zoning Bylaws (submitted by Larry Bearfield)

Applicant Larry Bearfield was present.

Bearfield explained that the two remaining issues are PB approval of the revised plan, and waivers. He then explained changes to the site plan resulting from the site visit on June 17. On the revised plan, the handicapped ramp and parking are now on the north side of the building.

The Board focused its attention on whether or not wheel stops (not included in the plan) would improve the safety of the parking layout, and whether the extension of the porch was within zoning setback limits. On the latter question, the Board concluded that it appeared that the existing building itself might extend into the setback, making this proposal one of extending a non-conforming structure. However, this is a question for the Building Inspector, and not an issue for the PB or Selectmen within the purview of the site plan review. Regarding the wheel stops, most Board members believed that the advantages of their inclusion in protecting the porch from damage or collapse if hit by a vehicle were outweighed by the detriment they might pose to safety, either as a tripping hazard to pedestrians using the steps or an encouragement for drivers to park further from the building, and thus closer to the traveled public way.

The PB found that there is adequate parking on this site. The parking spaces in front of the building, while convenient and practical, are not required to satisfy the Zoning Bylaw, since there are also fourteen designated spaces behind the building, although eight of these are located in the Residence A district. They also found that there would be no significant change to the drainage on the site from this proposal. They found that the Fire and Police Chiefs, as well as the Superintendent of Public Works have reviewed the plan, and found it to be acceptable. They found that the plan appears to be ADA compliant, and that the HP space will be striped on the pavement and designated as such. They found that the design of the proposed porch would enhance the appearance of the building, tying in both the proposed handicapped ramp on the north side and the existing residential entrance on the south side of the building. They found that there was no additional site lighting proposed, other than that in the porch ceiling and on the proposed roof signs, and that all elevations, signage, and light fixtures will be reviewed and approved by the Historical Commission.

The PA noted that if the PB does not vote on the plan and send a recommendation to the Board of Selectmen, then the 35-day period will run out (on 7/13) and the Board of Selectmen can disregard the PB's recommendations.

Freedman moved to recommend approval of the Site Plan with reference to the revised plan of June 16, 2004, under the following conditions: that lighting fixtures be approved by the Historical Commission; that all wiring be concealed; that a planter or other historically appropriate separation be placed between the parking area and the bicycle rack for enhanced safety and to discourage vehicles from parking too close to the intersection; and that all waivers from Article III of the Rules and Regulations requested by the applicant be approved, except for item (k), which has been fulfilled by the submitted plan, and that the Filing Fee be reduced to \$500, in recognition of this business as a community asset, while the Project Review Fee be waived in its entirety as unnecessary for this review. Boulé seconded the motion and it carried 7-0.

Discussion of proposed Rules and Regulation Governing Scenic Roads

There was some discussion of the definition of certain words, whether they are legal terms, and whether they should be capitalized. For example, road, major branches, tree, etc. There was also some discussion concerning the exact conditions that would constitute "emergency conditions."

Freedman moved to adopt the Rules and Regulations Governing Scenic Roads as written. Zinicola seconded the motion and it carried 7-0.

Budget

It was noted that Anja's computer has been failing, and that it doesn't support GIS software, not even ARC Reader. One computer has been budgeted to replace Anja's computer, either directly for her use, or for George, and then George's computer would be shifted to Anja. The second computer would be used for the GIS work. There is also the possibility of sharing computer time with other users in the Town Hall office. The proposed printer is 11x17-inch to allow GIS printout on legal size paper.

Freedman **moved to accept budget requesting 2 computers, printer, ArcView 9.0 software, and \$500 encumbered funds to provide for computer maintenance next year.** Boulé seconded the motion and it carried 7-0.

Freedman **moved to encumber the necessary funds for a Temporary Administrative Assistant and GIS summer intern.** Zinicola seconded the motion and it carried 7-0.

GIS progress report

Hara reports that significant progress has been made.

Community Development Plan

Freedman reports that promised projects have still not been completed. The Steering committee is of the view that we should not pay for work that has not been completed, and it is still not clear whether the work will eventually be completed or not. The State is giving a one-month extension. A key component of the plan is the GIS component; Carol Thomas reported that the GIS material was with the GIS consultant, so she couldn't address it, but at the same time she said she would Fed Ex the plans in time for the Committee meeting tomorrow. She has missed 4 deadlines in the last two weeks, and it is unclear whether the plan could possibly be completed.

Freedman also reported on information related to EO418 that Zinicola had forwarded to him about a new Mass Housing/DHCD partnership where Mass Housing is making funds available for planning for affordable housing. They normally give loans for building, but they had a theory that if they granted money to fund planning, that more people would build housing. Since they don't know anything about planning, they made a deal with DHCD where DHCD would review applications and determine who would get the grants. They have 3 million dollars, up to \$50,000 per project with a focus on rental housing and transportation nodes, neither of which Carlisle would likely be eligible for, but as they would like to write the requirements so that any community would be eligible. He suggested to John Ballantine, chair of the Benfield Planning Task Force, that they apply for this right away. Freedman reported that Ballantine agreed that they should apply for the funding but was reluctant to address this so soon after the committee's formation. Freedman emphasized that if the Town could get \$50,000, the CPA money that had been allocated for planning for the Benfield land could be reallocated. Zinicola, as a member of both the PB and the BPTF, agreed to stay on top of this and keep the PB apprised of BPTF progress with regard to filing an application for funding. One of the criteria the DHCD will use to determine which projects get funding will be whether in their opinion the project is likely to result in affordable housing actually being built within a couple of years of the funding.

Zinicola will check to see if money has to be paid for out-of-pocket first, and then is reimbursed with grant money when bills and receipts are presented.

Appointments to other boards

The PA noted that these are actual, voting members of these boards. The way these boards are set up, they have to have an appointed member of the PB in one of their seats, *ex officio*. The Board unanimously approved the following appointments:

Benfield Parcel A – Phyllis Zinicola
Long-term Capital Requirements – Ray Bahr
Municipal Land Committee – David Freedman
Community Preservation Committee – Kent Gonzales
Historical Commission – Peter Stuart
MAPC/MAGIC – Rich Boulé
(MAPC stands for Metropolitan Area Planning Counsel, which is regional planning agency for 101 cities and towns in the greater Boston area)
(MAGIC is the sub region's planning counsel, which meet in the towns – mostly west of here – once a month on a Thursday night, to deal with issues such as transportation, etc.)

Liaisons to other boards

The PA informed the members that a liaison is just a contact to the other board. They are not expected to attend every meeting of that board, just the meetings where there is a Planning Board issue.

Selectmen – Louise Hara
Conservation Commission – Louise Hara
Board of Health – Rich Boulé
Trails Committee – Louise Hara
Recreation Committee – David Freedman
Town Counsel – Phyllis Zinicola
Housing Authority – Phyllis Zinicola
Pedestrian/Bicycle Safety Committee – Peter Stuart
Zoning Board of Appeals – Ray Bahr (alternate – Phyllis Zinicola)

The Board instructed the PA to send a letter to each of these boards to inform them of the newly appointed PB liaison, to provide relevant PB members' e-mail address, and to request that the PB liaison be added to each board's e-mail list for notifications of meetings, agendas, and other relevant communications.

Arrange time to meet fire chief

Hara, Gonzales, and Bahr (or Boulé) arranged a time to meet with the fire chief concerning public safety requirements during the week of July 12. The PA will speak to the chief to find out his availability that week.

At 12:10 a.m., the Board unanimously adjourned the meeting.

Respectfully submitted,

Helen Boos
Temporary Administrative Assistant (filling in for Anja Stam)